

REMARKS

The foregoing amendments and the following remarks are in response to the Office Action dated February 27, 2008 (hereinafter "Office Action"). This amendment is timely filed.

At the time of the Office Action, claims 1-5 were pending, claim 4 was withdrawn and claims 1-3 were rejected under 35 U.S.C. §112. Claims 1-3 and 5 were rejected under 35 U.S.C. §103. Claim 4 was objected to under 37 CFR §1.75(c) as being in improper form. The objections and rejections are discussed in more detail below. Claim 2 is canceled herein. Claims 1, and 3-5, are currently amended. Support for the amendments may be found in the specification as filed or as more specifically described below. No new matter has been added.

I. Claim Objections

The Examiner objected to claim 4 under 37 CFR §1.75(c) as being in improper form because a multiple dependent claim cannot be dependent on a prior multiple dependent claim. Applicants believe this objection is moot in view of the cancellation of claim 2 and the amendment to claim 3. Applicants have also amended claim 4 to clarify its dependency upon only claims 1 and 3. Therefore, Applicants respectfully request the reinstatement and consideration of claim 4.

II. Rejection under 35 U.S.C. §112, second paragraph

Claims 1-3 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has added additional language to claim 1 to further describe a "traditional recipe". This amendment is supported by the application as filed, page 2, lines 12-16, and page 5, lines 14-15. A traditional recipe as set forth in the instant application requires that the rice be toasted prior to cooking in water. The traditional recipe as claimed further requires that rice be cooked in water with an additional ingredient, where that additional ingredient may be, or may form as a result of the cooking, a sauce or a broth. Withdrawal of the rejection is thus respectfully requested.

III. Rejections to the claims based upon Art

Claims 1-3 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,770,312 to Yamamoto et al. ("*Yamamoto*").

Claim 1 refers to a method of producing a frozen risotto, including, *inter alia* the step of "adding to rice the necessary liquid and particulate ingredients for preparing a risotto according to the sequence provided for by the traditional recipe and cooking all the above ingredients up to a desired cooking degree".

The "traditional recipe" for risotto can be considered to be well-established and recognized both in Italy and abroad. Most culinary publications and experts will agree that the recipe for making risotto consists of a precise sequence of events which comprises, most notably, the sautéing (or light frying) of raw rice grains in oil or butter at the start, and the subsequent addition of a broth or stock, aromas, particulate ingredients, sauces, etc, and the slow simmering of the thus obtained mix under gentle conditions, with occasional stirring and further addition of stock or broth, to the desired cooking degree. A number of Internet-retrieved recipes have been enclosed for viewing by the Examiner, as well as a definition of the word "risotto" from the Online Encyclopedia "Wikipedia".

The "traditional recipe", therefore, cannot be inferred to mean simply any rice-based food preparation method that one might devise, but rather the specific sequence of events as described above and to which the present application refers.

According to the example of the present application, the preparation includes sautéing the dry and raw rice in oil (together with carrots and onions), and subsequently adding the liquid and particulate condiment ingredients, for their slow simmering together (see Example of the present application). Specifically, the basic requirements for a traditional recipe are set forth in the current amendment to claim 1, which requires "toasting the rice and then cooking the rice with water and an additional ingredient, wherein the additional ingredient is, or yields as a result of said cooking, sauce, broth, or a combination thereof".

By contrast, *Yamamoto* describes a method for the production of a frozen food product comprising a primary sauce mixing step where a primary sauce is admixed to a major ingredient, such as a rice that has been boiled after washing and impregnation with water; a secondary sauce mixing step where a secondary sauce having a composition different from that of the primary sauce is admixed to the thus frozen ingredient; and a second freezing step (column 2, line 60 to column 3, line 3).

Given these premises, *Yamamoto* cannot be said to teach or suggest a method for the production of a frozen risotto that includes the step of "adding to rice the necessary liquid and particulate ingredients for preparing a risotto according to the sequence provided for by the traditional recipe, and cooking all the above ingredients up to desired cooking degree, wherein said traditional recipe requires toasting the rice and then cooking the rice with water and an additional ingredient, wherein the additional ingredient is or yields as a result of said cooking, sauce, broth, or a combination thereof", as recited by claim 1 of the present application.

Yamamoto completely omits and fails to suggest any step relating to toasting or sautéing the rice prior to cooking the rice in water, as required by the traditional recipe of claim 1.

Yamamoto further fails to teach or suggest the cooking of rice with an additional ingredient such as broth or sauce. The method by *Yamamoto*, in fact, involves the separate boiling of the rice, and cooking of the condiment, and their subsequent mixing together prior to the freezing step (see column 4, lines 19-34). The method then involves a second mixing step with a secondary sauce and another freezing step. There is no slow simmering of the raw rice together with the condiment, but rather a mixing of the two components, which is not even necessarily carried out under heating (see column 4, lines 35-40), prior to freezing.

Optionally, according to the method by *Yamamoto*, a step can be introduced into the method, which involves the addition of oil to the rice kernel prior to the admixing to the condiment (column 4, lines 25-28). However, in this case, the oil is added to rice kernels that have previously undergone washing and impregnation with water, to the water prior to boiling of the rice therein; or to a boiled rice (column 7, lines 7-13). The oil is never added, according *Yamamoto*, to raw and dry rice kernels, as is the case in embodiments of the present invention.

The method by *Yamamoto* further differs from that of the present application for further features. The prior art document discloses always carrying out an impregnating step with water of the rice kernels prior to boiling (Fig. 3, and column 4, lines 20-23). Moreover, cooling of the rice and condiment mixture is carried out at room temperature, in *Yamamoto*, whereas in one embodiment of the present invention cooling is at 4°C (see column 4, lines 36 and 37).

Turning now to the product of claim 5, many differences exist between the product of the claimed embodiments and those disclosed or suggested by *Yamamoto*. The most striking is the fact that the product by *Yamamoto* is not a risotto. The structure of the finished and frozen rice kernel of the prior art exhibits two different layers of condiment, the inner layer having the function of a barrier to the migration of water to maintain the organoleptic properties of the rice kernel. At column 8, lines 1-15 of *Yamamoto*, there is a detailed explanation of the structure of the finished rice kernel.

The rice kernel of the claimed embodiments, on the other hand, exhibits a homogeneous layer of condiment. Such difference is the consequence of the different production methods used. Claim 5 has been amended to recite methods required to produce the frozen risotto according to a traditional recipe.

It should be stressed, in fact, that in the method by *Yamamoto*, the two condiments must be different in density. The inner layer must have a higher density, to act as a protective barrier, and the outer layer must have a lower density, to have better freezing properties and prevent the frozen rice kernels from sticking to each other upon thawing and refreezing.

The claimed embodiments and the disclosure of *Yamamoto*, after all, stem from completely different technical problems. The technical problem in the case of *Yamamoto* is that of preventing the migration of water from the condiment towards the inside of the rice kernel during long term storage of the finished product. The principle underlying the solution is that the inner layer is such that there is no osmotic difference with respect to the rice kernel. The second layer compensates for the high density of the inner layer, restoring the required water content for optimal organoleptic characteristics of the final product upon service.

The product by *Yamamoto* is an admixture of separately cooked rice and condiment. The technical problem is to maintain the degree of cooking of the rice kernel despite its long-term contact with the condiment during storage. The product of the present invention, on the other hand, is a risotto. By definition, the rice of the present invention has been in contact with the condiment throughout its long simmering, and the condiment has perfused inside and throughout the rice kernel during the cooking time. Further, rice of the present invention is toasted prior to cooking in water with condiment. Due to this fundamental difference in the nature of the final products of cited reference and the instant application, it follows that the technical problem of *Yamamoto* is totally removed from the present invention, where not

only is the problem of separating the rice from the condiment non-existent, but quite on the contrary, any such separation would be highly undesirable.

The method of one embodiment of the present invention aims at safeguarding the organoleptic and structural properties of the traditional product obtained, by way of a cooling step at 4°C and a subsequent ultra-fast freezing step at -20°C.

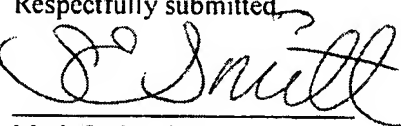
In conclusion, the skilled person wishing to improve a recipe for a frozen risotto, would not have looked into *Yamamoto*, which concerns a different type of ready meal and, had he done so, he would not have arrived at the present invention. In view of the foregoing, Applicant respectfully requests that the instant rejection be withdrawn.

IV. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

The Commissioner for Patents and Trademarks is hereby authorized to charge the amount due for any retroactive extensions of time and any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees paid on the filing or during prosecution of this application to Deposit Account No. 50-0951.

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Risotto

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Risotto is a rich and creamy, traditional Italian dish made with a high-starch rice such as arborio, carnaroli or *vialone nano*. It is one of the most common ways of cooking rice in Italy.

It originated in North Italy, specifically Eastern Piedmont, Western Lombardy, and Veneto (where *vialone nano* comes from), where rice paddies are abundant. It is one of the pillars of Milanese cuisine.

Contents

- 1 Traditional preparation
- 2 Variations
- 3 See also
- 4 References

Traditional preparation

The rice is first cooked briefly in butter or olive oil, then broth is added, one ladleful at a time. Properly cooked risotto showcases the rich creaminess of the rice's starches, while maintaining an al dente feel to each individual rice grain.

Stirring loosens the starch molecules from the outside of the rice grains into the surrounding liquid, creating a kind of sauce. The traditional texture is fairly fluid, or *all'onda* ("wavy").

Risotto is often finished by beating in a traditional *mantecatura* of lumps of cold butter and grated Parmesan cheese just before serving. The cheese is usually left out if the risotto is served with fish or other seafood.

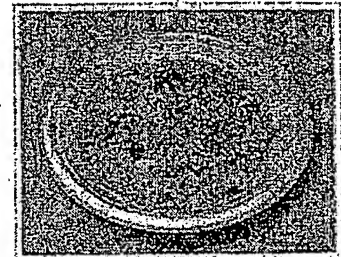
Variations

Common recipes include *risotto alla Milanese*, flavored with saffron, traditionally served with *osso buco* (braised veal shanks), and *risotto al Barolo*, made with red wine, but thousands of variations exist.

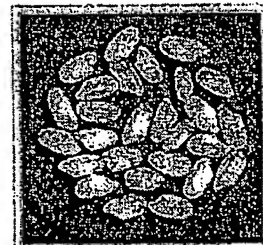
Risotti can include vegetables, meat, seafood, various wines, cheeses and even fruits. *Risotto al nero di seppia* is a specialty of the Veneto region, made with cuttlefish that have been cooked with their ink-sacs intact. *Risi e Bisi* is essentially a traditional risotto with sweet green peas added. Other common variations on the typical risotto include tomato risotto, squash risotto, and mushroom risotto.

In the United States, chefs often make risotto-like dishes with other ingredients substituted for the rice, so you might see "potato risotto" or "barley risotto."

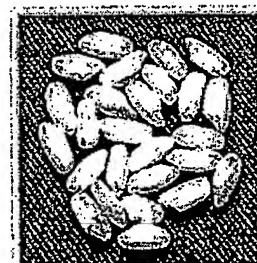
See also



A dish of risotto



Grains of arborio rice



Grains of carnaroli rice

- Paella
- Pilaf
- Plov
- Jambalaya
- Fried rice
- List of rice dishes

References

- Barrett, Judith, and Wasserman, Norma (1987). *Risotto*. New York: Scribner. ISBN 0-02-030395-5.
- Hazan, Marcella (1992). *Essentials of Classic Italian Cooking*. New York: Alfred A. Knopf. ISBN 0-394-58404-X.

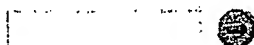
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Categories: Italian cuisine | Rice dishes

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Paula Laurita

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Basic Risotto Recipe

In northern Italy rice is as important as pasta. Try this classic Italian dish.

When I lived in Vicenza, Italy, my landlord would often come to eat. He especially enjoyed my risotto, saying it was as good as his mother's. The highest praise!

Risotto can be simple or elaborate. The flavors and additions are up to you. It can be a quick dish made after a busy day at work, or served to company with a great veal dish. Risotto does take a bit more attention than cooking pasta. It is a gentler process, requiring simmering rather than boiling.

Heat a little olive oil and/or butter in a frying pan. You can use either or both. I usually use olive oil. When the oil is hot, sauté half a chopped onion. Sauté the onion until it's soft and golden.

Add 4 oz of rice per person as a main dish, or 2 oz of rice if serving as a side dish. Sauté the rice for a few minutes. Make certain the rice is well coated with oil.

Have 3-5 cups chicken broth ready. If you need to use bullion cubes, try and find porcini mushroom bullion cubes. Canned or homemade broth is best. **You are not going to add all broth at one time.** Add the broth slowly, about 1/3 cup at a time. Enough so that the rice stays wet, but never so much that it completely covers the rice. You don't want to see large amounts of liquid in the pan. When the rice has absorbed all the liquid from the last addition, add

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another one. Keep stirring. Be patient and keep the heat on simmer. You should hear the steam when you add the broth, but the rice shouldn't stick.

What happens if you use all the broth and you still need more liquid? Glad you asked. This is the place for the white wine. Add a cup or two, 1/3 cup at a time, to the rice. Stirring and simmering just as you did with the chicken broth. Do not use red wine. You will have pink risotto. If you don't drink wine use more chicken broth.

When the rice is almost completely done add the final ingredients. I like a little saffron and parmesan cheese. Let it set for a few moments. Many Italians like to add a little butter or oil at this stage. It helps to create a creamier risotto.

Additional ingredients can be added when you put in the cheese. There are some simple additions. Spinach works well. If you use frozen, chopped spinach, add it earlier in the cooking cycle, decreasing the amount of chicken broth needed. Fresh asparagus can also be added earlier in the cooking process. The heated broth will blanch the asparagus. You can add cooked shrimp or chicken at the end phase.

Don't be disheartened if your risotto comes out too hard the first time. Try again. This is one advantage to creating a simple risotto the first time. You can always let the rice cook a little more. Risotto is a fine dish for the fall and winter months. It's basic, filling, and comforting. You can serve it to your meat loving friends or vegetarians. Just remember, as with your friends and family, you need gentleness and patience.

If you enjoyed this recipe, you may want to try other Italian rice recipes.



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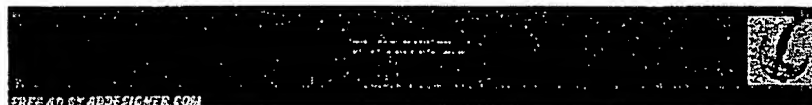
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5 easy risottos from Ursula Ferrigno

continued from [page 2](#)

Risotto with Asparagus, Peas and Basil *Risotto con Asparagi, Piselli e Basilico*

One of my all-time favourite risottos – so light, fresh and vibrantly green. It reminds me of early summer, when asparagus and peas grow in abundance. Try to use vegetables when they are in season, so that you can enjoy them at their finest and sweetest.

Serves 4

900ml good quality vegetable stock
50g unsalted butter
1 tbsp olive oil
8 shallots, finely chopped
275g risotto rice, such as vialone nano, carnaroli or arborio
½ glass white wine, about 75ml
350g asparagus, cut into 4cm lengths
150g fresh or frozen shelled peas
finely grated zest of 1 unwaxed lemon
100g Parmesan cheese, freshly grated
a large handful of fresh basil, leaves torn
sea salt and freshly ground black pepper

To serve (optional)
fresh basil leaves
freshly grated Parmesan cheese

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1. Put the stock in a saucepan. Heat until almost boiling, then reduce the heat until barely simmering to keep it hot.
2. Heat the butter and oil in a sauté pan or heavy-based casserole over a medium heat. Add the shallots and cook for 1-2 minutes, until softened but not browned.
3. Add the rice and stir, using a wooden spoon, until the grains are well coated and glistening, about 1 minute. Pour in the wine and stir until it has been completely absorbed.
4. Add 1 ladle of hot stock and simmer, stirring until it has been absorbed. Repeat. After 10 minutes, add the asparagus, peas and lemon zest and mix well. Continue to add the stock at intervals and cook as before, for a further 8-10 minutes, until the liquid has been absorbed and the rice is tender but still firm (*al dente*). Reserve the last ladle of stock.
5. Add the reserved stock, Parmesan, basil, salt and pepper. Mix well. Remove from the heat, cover and let rest for 2 minutes.
6. Spoon into warmed bowls and top with basil and grated Parmesan, if using. Serve immediately.

Source: *risotto* by Ursula Ferrigno (Ryland, Peters and Small). To order your copy for the special price of £6.99 including postage and packing (rrp £8.99), telephone Macmillan Direct on 01256 302 699 and quote reference GLR 887.

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